

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

WILD BAINBRIDGE, a non-profit
corporation,

Plaintiff,

v.

MAINLANDER SERVICES
CORPORATION, an Oregon corporation;
OIEN CONSTRUCTION, INC., a
Washington corporation; UNITED
STATES ARMY CORPS OF
ENGINEERS, a federal agency, et al.,

Defendants.

CASE NO. C04-5054BHS

ORDER GRANTING
MAINLANDER SERVICES
CORPORATION'S AND OIEN
CONSTRUCTION INC.'S
MOTION TO DISMISS OR
FOR PARTIAL SUMMARY
JUDGMENT

This matter comes before the Court on Mainlander Services Corporation's and Oien Construction Inc.'s Motion to Dismiss or for Partial Summary Judgment (Dkt. 72). Based on the motion, the Court's Order Denying Plaintiff's Motion for Summary Judgment Against the Army Corps of Engineers and Granting the Corps's Cross-Motion for Summary Judgment (Dkt. 62), and Wild Bainbridge's response indicating that it does not oppose the motion (Dkt. 83), it is hereby

ORDERED that Mainlander Services Corporation's and Oien Construction Inc.'s Motion to Dismiss or for Partial Summary Judgment (Dkt. 72) is **GRANTED**, and Wild

1 Bainbridge's claims with respect to Lot 23, Block 5 of Fort Ward Estates, Bainbridge
2 Island, Washington, are **DISMISSED with prejudice**.

3 DATED this 29th day of May, 2008.

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6 BENJAMIN H. SETTLE
7 United States District Judge
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